

FILED
COMMON PLEAS COURT OF
VENANGO COUNTY, PA
VENANGO COUNTY

1999 FEB 17 P 12:21

Commonwealth Of Pennsylvania

VS.

Joseph Edward McNatt

PEGGY L. MILLER
PROTHONOTARY AND
CLERK OF COURTS

Indict.No.CR182,183;98

MOTION TO PROCEED NUNC PRO TUNC,
IN FILING POST-SENTENCE MOTIONS
AND DIRECT APPEAL

Petitioner, Joseph Edward McNatt, pro-se hereby moves to file an appeal nunc-pro-tunc, and file post sentence motion, and represents:

1. The petitioner, is the defendant in a criminal case, and entered a plea of guilty to the charges of (Theft by Deception, and Forgery).
2. A plea agreement was reached by the commonwealth, and the attorney for this defendant, which was to be in the standard range of sentencing at 6 to 16 months, and an aggravated range of 16 to 19 months for the forgery. On the theft by deception charge this defendant was looking at a standard range of 6 to 16 months and an aggravated range of 16 to 19 months.
3. On 10-20-98, judge O. Lobaugh imposed a sentence of 2Y8M-12Y on the charges.
4. Throughout the proceedings in the lower court this defendant was indigent, and represented by the Venango County Public Defenders Office.
5. This petitioner told counsel after sentencing that he wished to appeal his judgements of conviction and sentence.
6. To the best of the Petitioner's information and belief, counsel failed to perform his duty by failing to file a notice of appeal.
7. Petitioner requests that this Honorable Court allow him to file an appeal, nunc pro tunc, and appoint experienced counsel to represent him in this matter.

Respectfully submitted,
Edward J. McNatt

IN THE COURT OF COMMON PLEAS OF VENANGO COUNTY,
PENNSYLVANIA
CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA :

VS. :

C.R. NO. 182,183; 1998

EDWARD JOSEPH McNATT, :

Petitioner/Defendant :

VERIFICATION

I, Edward Joseph McNatt, Petitioner/Defendant filing pro se in the above-captioned matter, hereby verifies that the information in the herein attached MOTION TO PROCEED NUNC PRO TUNC, is true and correct to the best of my knowledge, information and belief. Any falsification herein is punishable under the penalties of 18 Pa.C.S.A. §4904, relating to the unsworn falsification to authorities.

PROOF OF SERVICE

I, Edward Joseph McNatt, hereby certify that on this day and date I have served a true and correct copy of the herein attached MOTION TO PROCEED NUNC PRO TUNC, to the following persons by first-class mail, postage pre-paid from Houtzdale, Pennsylvania, 16698-1000, which service satisfies the requirements of Pennsylvania Rules of Court 9023:

Clerk of Courts (original and two copies)
Venango County Courthouse
Franklin, PA 16323

BY: Edward J. McNatt (s)
Edward J. McNatt

D.O.C. NO. DL-6772

SCI-Houtzdale

P.O. Box 1000

Houtzdale, PA 16698-1000

ON THIS DATE: _____